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**OFFICE OF PETITIONS**

In re Application of  
Hector A. D'Auvergne  
Application No. 10/803,124  
Filed: March 16, 2004  
Attorney Docket No. 4359

ON PETITION

This is a decision on the renewed petition under 37 CFR 1.137(b) to revive the above-identified application, filed May 3, 2007.

The petition is **GRANTED**.


The application became abandoned for failure to pay the issue fee on or before April 3, 2006. A Notice of Abandonment was mailed on August 24, 2006. On September 16, 2006 a petition under 37 CFR 1.137(b) was filed; however, the petition was subsequently dismissed in a decision mailed April 5, 2007. In response, on May 3, 2007, the present petition was filed.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of the requisite issue/publication fee; (2) the petition fee of \$750; and (3) an adequate statement of unintentional delay.

It is noted that a \$750 petition fee was erroneously charged to counsel's deposit account in association with the present petition. Since no further petition fee is required on a renewed petition under 37 CFR 1.137(b), the \$750 is being credited to counsel's deposit account.

The application is being referred to the Office of Publications to be processed into a patent.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3204. Telephone inquiries related to processing at Publishing Division should be directed to (571) 272-4200.

  
Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions